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DENTAL ACT 1939

**DENTAL BOARD
AMENDMENT RULES 2004**

PODIATRISTS REGISTRATION ACT 1984

**PODIATRISTS
REGISTRATION
AMENDMENT RULES 2004**

Dental Act 1939

Dental Board Amendment Rules 2004

Made by the Dental Board of Western Australia with the approval of the Governor in Executive Council.

1. Citation

These rules are the *Dental Board Amendment Rules 2004*.

2. Commencement

These rules come into operation on the day on which Part 2 Division 36 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

3. The rules amended

The amendments in these rules are to the *Dental Board Rules 1973**.

[* *Reprint 2 as at 1 August 2003.*]

4. Rule 6 amended

Rule 6 is amended by deleting “complaint against” and inserting instead —

“ allegation against a person who is or was ”.

5. Rule 21 repealed

Rule 21 is repealed.

6. Part X heading amended

The heading to Part X is amended by deleting “Complaints” and inserting instead —

“ **Allegations** ”.

7. Rule 30 amended

(1) Rule 30(1) is repealed.

(2) Rule 30(2) is amended as follows:

(a) by deleting “a complaint or allegation against” and inserting instead —

“ an allegation against a person who is or was ”;

(b) by deleting “of complaint”.

- (3) Rule 30(3) is amended as follows:
- (a) by deleting “complaint or allegation made pursuant to this rule” and inserting instead —
“ allegation under section 30(2) of the Act ”;
 - (b) by deleting “complaint or” after “the”;
 - (c) by deleting “registered person” and inserting instead —
“ person against whom the allegation is made ”.

8. Rule 31 replaced

Rule 31 is repealed and the following rule is inserted instead —

“

31. Referring allegation to the State Administrative Tribunal

If the Board, after considering any answer furnished under rule 30, decides to refer an allegation to the State Administrative Tribunal, the Registrar is to —

- (a) cause a copy of the answer to be given to the executive officer of the State Administrative Tribunal with the referral; and
- (b) within 7 days of the day on which the allegation is referred to the State Administrative Tribunal, cause a copy of the answer to be given to the person who made the allegation.

”.

9. Rules 32 and 33 repealed

Rules 32 and 33 are repealed.

10. Rule 36 amended

Rule 36(2) is amended as follows:

- (a) by deleting “an inquiry conducted by the Board in accordance with the rules” and inserting instead —
“ a special meeting referred to in rule 6 ”;
- (b) by deleting “to conduct the inquiry”;
- (c) in paragraph (a)(i) and (ii) and paragraph (b)(i) and (ii), by deleting “inquiry” and inserting instead —
“ Board ”.

11. First Schedule amended

In the First Schedule Forms 7, 9, and 10 are deleted.

The Common Seal of the)
Dental Board of Western)
Australia was affixed in the)
presence of —)

W. M. CLARK,
Registrar.

J. R. OWEN,
President.

Approved by the Governor in Executive Council,

ROD SPENCER, Clerk of the Executive Council.

Podiatrists Registration Act 1984

Podiatrists Registration Amendment Rules 2004

Made by the Podiatrists Registration Board with the approval of the Governor in Executive Council.

1. Citation

These are the *Podiatrists Registration Amendment Rules 2004*.

2. Commencement

These rules come into operation on the day on which Part 2 Division 106 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

3. The rules amended

The amendments in these rules are to the *Podiatrists Registration Rules 1985**.

[* Reprinted as at 23 June 2000.

For amendments to 29 November 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 283.*]

4. Rule 5 repealed

Rule 5 is repealed.

5. Rule 6 amended

Rule 6 is amended by deleting “and extraordinary”.

6. Rule 26 amended

Rule 26 is amended by deleting “, and shall make such statutory declarations as to the facts as the Board may require”.

7. Rule 27 amended

Rule 27 is amended by deleting “verified by statutory declaration”.

8. Rules 28 to 31 repealed

Rules 28, 29, 30 and 31 are repealed.

9. Rule 28 inserted

After rule 27 the following rule is inserted —

“

28. Making an allegation to the State Administrative Tribunal

- (1) The Board may, after considering the answer (if any) of a podiatrist furnished under rule 27, make an allegation about the complaint to the State Administrative Tribunal.
- (2) If an allegation relating to a podiatrist is made to the State Administrative Tribunal and the podiatrist has furnished an answer under rule 27, the Registrar is to cause a copy of the answer to be given —
 - (a) to the executive officer of the State Administrative Tribunal with the allegation; and
 - (b) to the person, if any, who made the complaint against the podiatrist within 7 days of the day on which the complaint is made to the State Administrative Tribunal.

”

10. Rule 45 repealed

Rule 45 is repealed.

The Common Seal of the)
Podiatrists Registration)
Board was affixed in the)
presence of —)

J. A. BRYANT,
Chairman.

W. M. CLARK,
Registrar.

Approved by the Governor,

ROD SPENCER, Clerk of the Executive Council.

